

Application No. 10/700,828
Attorney Docket No. 10020907-1
Declaration Under 37 CFR 1.131

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Thomas W. Stone	Examiner: Agustin Bello
Application Serial No.: 10/700,828	Group Art Unit: 2633
Filed: November 4, 2003	Confirm. No.: 6251
For: WAVELENGTH SELECTIVE SWITCHING AND/OR ROUTING SYSTEM	

To: Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR 1.131

Sir:

I, Thomas W. Stone, declare that:

1. I am the inventor of the claimed invention in the above referenced patent application.
2. Prior to May 29, 2003, I conceived of the invention, that is, the idea of separating the input to a wavelength selectable switching and routing system, such as a wavelength selectable cross-connect, into m spectral components, passing the separated components through the switching and routing system, and then combining the separated components after switching and routing.
3. The invention was reported to Agilent prior to May 29, 2003 in Invention Disclosure No. 10020907 and Invention Disclosure No. 10020912, copies of which are attached hereto with dates deleted.
4. Prior to May 29, 2003, the assignee, Agilent Technologies, Inc. ("Agilent"), contacted the law firm of Perkins Smith & Cohen LLP ("PSC") and requested them to file a patent application on Invention Disclosure Nos. 10020907 and 10020912.

5. I left my employment at Agilent on or about July 31, 2002.
6. As described in the LOPEZ affidavit, enclosed herewith, more than three drafts of the patent application were generated between just prior to May 29, 2003 and November 4, 2003.
7. I reviewed these drafts and made timely comments and revisions with respect thereto, discussing the comments and revisions with Attorney Lopez in order to assist him in the preparation of the patent application.
8. Work on the application proceeded diligently from just prior to May 29, 2003 to November 4, 2003 despite my departure from Agilent prior to that date.

I even further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Thomas W. Stone

November 29, 2005
Date